



1 **I. COUNTERDEFENDANTS' TIME TO ANSWER**

2 The parties stipulate and respectfully request that the time within which Counter-  
3 defendant may respond to the Counterclaim filed by Counterclaimants on December 1, 2008 will  
4 be extended by this Court from December 21, 2008 to January 20, 2009 or such date as this  
5 Court may order.

6 Counter-defendant believes that good cause exists for this Court to order an extension of  
7 time for it to respond to the Counterclaim because Ms. Dennies Chung, the principal of Plaintiff  
8 as well as the second named Counter-defendant, has been out of the country and is not expected  
9 to return until past the deadline for filing a response to the Counterclaim. Because Ms. Chung is  
10 the principal of Plaintiff, her input is required to adequately prepare and respond to  
11 Counterclaimants' Counterclaim. Also, Ms. Chung will shortly be served as a second named  
12 Counter-defendant in this action; Counter-defendant's counsel agreed to accept service on her  
13 behalf and also agreed that Ms. Chung will respond at the same time that Counter-defendant  
14 responds to the Counterclaims.

15 **II. CASE MANAGEMENT AND ALTERNATIVE DISPUTE RESOLUTION**  
16 **DEADLINES**

17 The parties further stipulate and respectfully request that this Court also extend by thirty  
18 (30) days, or as soon thereafter as the Court deems convenient, the initial case management and  
19 alternative dispute resolution deadlines as set forth in this Court's Order dated September 15,  
20 2008 and the docket text entered September 16, 2008 as follows:

21 1. Last day to meet and confer re: initial disclosures, early settlement, ADR process  
22 selection, and discovery plan; file joint ADR Certification with Stipulation to ADR Process or  
23 Notice of Need for ADR Phone conference is extended to February 12, 2009;

24 2. Last day to complete initial disclosures or state objection in Rule 26(f) Report, file  
25 Case Management Statement and file/serve Rule 26(f) Report is extended to February 26, 2009;  
26 and

27 3. Case Management Conference (CMC) in Courtroom 3, 3rd Floor, Oakland at 2:30  
28 p.m., via telephone, is extended to March 6, 2009.

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**STIPULATION AND [PROPOSED] ORDER  
EXTENDING TIME FOR COUNTERDEFENDANT  
TO RESPOND TO COUNTERCLAIM; AND EXTENDING  
CMC AND ADR DEADLINES**

1 The parties believe good cause exists for the extension of the case management and  
2 alternative dispute resolution deadlines because the time for Counter-defendant to respond to the  
3 Counterclaim is set after the first deadline to meet and confer regarding initial disclosures and to  
4 file the alternative dispute resolution certification, which are currently set for January 13, 2009.  
5 This date is well prior all the named Counter-defendants having made their appearances.  
6 Accordingly, the disclosure of information as required by the Federal Rules of Civil Procedure  
7 and this Court's Local Rules cannot meaningfully be exchanged and discussed until all parties  
8 are before this Court.

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10  
11 DATED: \_\_\_\_\_

Respectfully Submitted,  
LAW OFFICE OF ANNE HIARING

12  
13 By: \_\_\_\_\_  
Anne Hiaring Hocking, Esq.  
14 Attorney for Plaintiff and  
Counter-defendant

15 STIPULATED TO:

16 DATED: \_\_\_\_\_

QUINTANA LAW GROUP, APC

17  
18 By: \_\_\_\_\_  
19 Andres F. Quintana, Esq.  
20 John M. Houkom, Esq.  
Attorneys for Defendant David  
21 Liao and Defendants and  
Counterclaimants Protech  
22 Diamond Tools Inc., Protech  
Diamond USA, Inc. and  
23 Counterclaimant Protech  
Diamond, Inc.

24 ACCORDINGLY:

25 1. The last day to meet and confer re: initial disclosures, early settlement, ADR  
26 process selection, and discovery plan; file joint ADR Certification with Stipulation to ADR  
27 Process or Notice of Need for ADR Phone conference is extended to February 12, 2009;  
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**STIPULATION AND [PROPOSED] ORDER  
EXTENDING TIME FOR COUNTERDEFENDANT  
TO RESPOND TO COUNTERCLAIM; AND EXTENDING  
CMC AND ADR DEADLINES**

1           2.       The last day to complete initial disclosures or state objection in Rule 26(f) Report,  
2 file Case Management Statement and file/serve Rule 26(f) Report is extended to March 1, 2009;  
3 and

4           3.       The Case Management Conference scheduled for February 4, 2009, at 2:30 p.m,  
5 see Docket entry dated 9/16/2008, shall be CONTINUED to March 11, 2009 at 2:30 p.m. The  
6 parties shall **meet and confer** prior to the conference and shall prepare a joint Case Management  
7 Conference Statement which shall be filed no later than ten (10) days prior to the Case  
8 Management Conference that complies with the Standing Order for all Judges of the Northern  
9 District of California and the Standing Order of this Court. Plaintiff(s) shall be responsible for  
10 filing the statement as well as for arranging the conference call. All parties shall be on the line  
11 and shall call (510) 637-3559 at the above indicated date and time.

12  
13 IT IS SO ORDERED

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16 DATED: 12/18/08

17 By:   
18 HON. SAUNDRA B. ARMSTRONG  
19 United States District Court Judge  
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